

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

| | | |
|----------------------------------|---|-------------------|
| MARCO ENRIQUE TORRES JR., |) | |
| |) | |
| Petitioner, |) | 4:13CV3027 |
| |) | |
| V. |) | |
| |) | |
| ROBERT HOUSTON, |) | ORDER |
| |) | |
| Respondent. |) | |
| |) | |

Petitioner has filed a Petition for Writ of Habeas Corpus under [28 U.S.C. § 2254 \(filing 1\)](#), a Motion for Leave to Proceed in Forma Pauperis ([filing 2](#)), and a copy of his institutional account statement ([filing 3](#)).

Habeas corpus cases attacking the legality of a person's confinement require the payment of a \$5.00 fee. [28 U.S.C. § 1914\(a\)](#). However, pursuant to [28 U.S.C. § 1915\(a\)\(1\)-\(2\)](#), and after considering Petitioner's financial status as shown in the records of this Court, provisional leave to proceed in forma pauperis will be granted and Petitioner is relieved from paying the fee at this time.

IT IS ORDERED that the Motion for Leave to Proceed in Forma Pauperis ([filing 2](#)) is provisionally granted and Petitioner will not be required to pay the \$5.00 fee at this time.

DATED February 27, 2013.

BY THE COURT:

**S/ F.A. Gossett
United States Magistrate Judge**